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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CARMEN A. FLORES, on his behalf
and on the behalf of others similarly situated

Plaintiffs,

-against-

CLERCK'S CERTIFICATE

TORINO'S KITCHEN, and MANNY KESS,
an individual,

Defendants

_____ /

1. I, J MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that his action commenced on 05/29/08 with the filing of the Summons and Complaint. A copy of the summons and complaint was served by personal delivery on:
 - i Defendant Tourino's Kitchen., by personally delivering it to 22 W. 56th Street, New York, NY 10019 and handing to Spiro Argiridiadis, the Manager on 06/02/08 at 2:05 PM.
 - ii. Defendant Manny Kess, an individual, by leaving Summons and Complaint with Spiro Argiridiadis, the Manager on 06/02/08 at 2:05 PM.
2. Proof of Service thereof was filed on 06/02/2008.
3. I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

Dated: New York, New York

J. MICHAEL MCMAHON
Clerk of the Court

BY: _____
Deputy Clerk